

CLOSED, TYPE-I

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:05-cv-01127-CKK**

CITIZENS FOR RESPONSIBILITY AND ETHICS IN
WASHINGTON v. U.S. DEPARTMENT OF HEALTH AND
HUMAN SERVICES

Assigned to: Judge Colleen Kollar-Kotelly
Cause: 05:552 Freedom of Information Act

Date Filed: 06/07/2005
Date Terminated: 07/31/2007
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**CITIZENS FOR RESPONSIBILITY
AND ETHICS IN WASHINGTON**

represented by **Anne L. Weismann**
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V.

Defendant

**U.S. DEPARTMENT OF HEALTH
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Date Filed	#	Docket Text
06/07/2005	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (Filing fee \$ 250) filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON.(td,) (Entered: 06/08/2005)
06/07/2005		SUMMONS (3) Issued as to U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, U.S. Attorney and U.S. Attorney General (td,) (Entered: 06/09/2005)
06/08/2005	<u>2</u>	LCvR 7.1 – CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON (td,) (Entered: 06/08/2005)
06/15/2005	<u>3</u>	ORDER Establishing Procedures for Electronic Filing for Cases Assigned to Judge Colleen Kollar-Kotelly signed on June 15, 2005. (SM) (Entered: 06/15/2005)
07/07/2005	<u>4</u>	NOTICE of Appearance by Jane M. Lyons on behalf of U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (Lyons, Jane) (Entered: 07/07/2005)
07/08/2005	<u>5</u>	Consent MOTION for Extension of Time to <i>Respond to the Complaint</i> by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Lyons, Jane) (Entered: 07/08/2005)
07/12/2005		MINUTE ENTRY: ORDERED that Defendant's consent Motion for Extension of Time to Respond to Complaint <u>5</u> is GRANTED; Defendant must respond by July 26, 2005. Signed by Judge Colleen Kollar-Kotelly on July 12, 2005. (lcckk1) (Entered: 07/12/2005)
07/20/2005	<u>6</u>	MOTION to Amend/Correct <i>Complaint and Amended Complaint</i> by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Attachments: # <u>1</u> Amended Complaint# <u>2</u> Exhibit Exhibits A through F to Amended Complaint# <u>3</u> Exhibit Exhibits G through I to Amended Complaint)(Weismann, Anne) (Entered: 07/20/2005)
07/26/2005	<u>7</u>	NOTICE of Appearance by Jeremiah Goulka on behalf of U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (Goulka, Jeremiah) (Entered: 07/26/2005)
07/26/2005	<u>8</u>	STIPULATION <i>JOINT PROPOSED BRIEFING SCHEDULE</i> by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Goulka, Jeremiah) (Entered: 07/26/2005)
07/27/2005	<u>9</u>	ENTERED IN ERROR.....APPLICATION for <i>Amended Joint Proposed Briefing Schedule</i> by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Goulka, Jeremiah) Modified on 7/28/2005 (nmw,). (Entered: 07/27/2005)
07/28/2005		NOTICE OF CORRECTED DOCKET ENTRY: Document No. 9 was entered in error and counsel was instructed to refile said pleading. (nmw,) (Entered: 07/28/2005)
07/28/2005	<u>10</u>	STIPULATION re <u>8</u> Stipulation <i>AMENDED JOINT PROPOSED BRIEFING SCHEDULE</i> by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Goulka, Jeremiah) (Entered: 07/28/2005)
08/01/2005	<u>11</u>	MOTION for Summary Judgment by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Attachments: # <u>1</u> Memorandum of Points and Authorities in Support of Plaintiff's Motion for Partial Summary Judgment# <u>2</u> Exhibit Exhibit 1 to Memorandum# <u>3</u> Statement of Facts Plaintiff's Statement of Material Facts Not in Genuine Dispute# <u>4</u> Text of Proposed Order Proposed Order)(Weismann, Anne) (Entered: 08/01/2005)

08/03/2005	<u>12</u>	Defendant's ANSWER to Complaint <i>First Amended Complaint</i> by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES.(Goulka, Jeremiah) (Entered: 08/03/2005)
08/30/2005	<u>13</u>	Memorandum in opposition to motion re <u>11</u> <i>Memorandum of Points and Authorities in Opposition to Plaintiff's Motion for Partial Summary Judgment and in Support of Defendant's Cross-Motion for Partial Summary Judgment</i> filed by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Exhibit Exh 1# <u>2</u> Exhibit Exh 2# <u>3</u> Exhibit Exh 3# <u>4</u> Exhibit Exh 4# <u>5</u> Statement of Facts)(Goulka, Jeremiah) (Entered: 08/30/2005)
08/30/2005	<u>14</u>	Cross MOTION for Summary Judgment (<i>Partial</i>) by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Text of Proposed Order)(Goulka, Jeremiah) (Entered: 08/30/2005)
09/08/2005	<u>15</u>	REPLY to opposition to motion re <u>14</u> <i>for Partial Summar Judgment and Opposition to Defendant's Motion for Partial Summary Judgment</i> filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Weismann, Anne) (Entered: 09/08/2005)
09/08/2005	<u>16</u>	Memorandum in opposition to motion re <u>14</u> Cross-Motion for Partial Summary Judgment filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Please see Document No. 15 for scanned image). (nmw,) (Entered: 09/09/2005)
09/20/2005	<u>17</u>	REPLY to opposition to motion re <u>14</u> <i>Cross-Motion for Partial Summary Judgment</i> filed by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Statement of Facts)(Goulka, Jeremiah) (Entered: 09/20/2005)
09/22/2005	<u>18</u>	RESPONSE to <i>Defendant's Statement of Undisputed Material Facts</i> filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Weismann, Anne) (Entered: 09/22/2005)
12/20/2005		MINUTE ENTRY: ORDERED that the Court retroactively GRANTS <u>6</u> Motion to Amend/Correct. Signed by Judge Colleen Kollar-Kotelly on December 20, 2005. (lcckk1) (Entered: 12/20/2005)
03/15/2006	<u>19</u>	NOTICE of Change of Address by Anne L. Weismann (Weismann, Anne) (Entered: 03/15/2006)
05/30/2006	<u>20</u>	NOTICE of <i>Substitution of Counsel</i> by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES re <u>7</u> Notice of Appearance (Kirschner, Adam) (Entered: 05/30/2006)
09/08/2006	<u>21</u>	ORDER granting <u>11</u> Plaintiff's Motion for Partial Summary Judgment; denying <u>14</u> Defendant's Cross-Motion for Partial Summary Judgment; ordering that Defendant shall grant Plaintiff a public interest fee waiver by October 6, 2006; and ordering that the Parties are to file a Joint Status Report as to how they propose to proceed in this case by October 13, 2006. Signed by Judge Colleen Kollar-Kotelly on September 8, 2006. (lcckk1) (Entered: 09/08/2006)
09/08/2006	<u>22</u>	MEMORANDUM OPINION. Signed by Judge Colleen Kollar-Kotelly on September 8, 2006. (lcckk1). (Entered: 09/08/2006)
09/26/2006	<u>23</u>	MOTION Motion to Publish Memorandum Opinion of September 8, 2006 by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Attachments: # <u>1</u> Text of Proposed Order)(Weismann, Anne) (Entered: 09/26/2006)
10/13/2006	<u>24</u>	STATUS REPORT <i>JOINT</i> by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON, U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Kirschner, Adam) (Entered: 10/13/2006)
10/18/2006		MINUTE ORDER (PAPERLESS): Defendant HHS is ordered to make its first production of documents by November 17, 2006. If Defendant HHS deems that it will not be able to produce all requested documents by January 26, 2007, Defendant HHS must file an Open America Motion to Stay by November 17, 2006. If Defendant HHS files an Open America Motion to Stay by November 17, 2006,

		Plaintiff's Opposition shall be due by December 1, 2006, and Defendant's Reply shall be due by December 8, 2006. If Defendant HHS chooses not to timely file a Motion to Stay, or if the Court denies HHS's Motion to Stay, then HHS shall produce all documents to Plaintiff by January 26, 2007. Signed by Judge Colleen Kollar-Kotelly on October 18, 2006. (lcckk1) (Entered: 10/18/2006)
10/18/2006		Set Deadlines/Hearings: Motions due by 11/17/2006. Responses due by 12/1/2006. Replies due by 12/8/2006. (dot,) (Entered: 10/19/2006)
11/17/2006	<u>25</u>	MOTION to Stay re Order,, by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Affidavit Eckert Declaration# <u>2</u> Affidavit Attachments to Declaration# <u>3</u> Exhibit Slip Opinion of Case# <u>4</u> Text of Proposed Order)(Kirschner, Adam) (Entered: 11/17/2006)
11/30/2006	<u>26</u>	Amended MOTION to Stay re <u>25</u> MOTION to Stay re Order,, by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Affidavit Supplemental Declaration# <u>2</u> Text of Proposed Order Amended Proposed Order)(Kirschner, Adam) (Entered: 11/30/2006)
12/01/2006	<u>27</u>	Memorandum in opposition to re <u>26</u> Amended MOTION to Stay re <u>25</u> MOTION to Stay re Order,, filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Attachments: # <u>1</u> Text of Proposed Order)(Weismann, Anne) (Entered: 12/01/2006)
12/08/2006	<u>28</u>	REPLY to opposition to motion re <u>25</u> MOTION to Stay re Order,, <u>26</u> Amended MOTION to Stay re <u>25</u> MOTION to Stay re Order,, filed by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Attachments: # <u>1</u> Affidavit Cornell Declaration)(Kirschner, Adam) (Entered: 12/08/2006)
02/28/2007	<u>29</u>	NOTICE by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES re <u>26</u> Amended MOTION to Stay re <u>25</u> MOTION to Stay re Order,, (Attachments: # <u>1</u> Letter from HHS to CREW)(Kirschner, Adam) (Entered: 02/28/2007)
04/03/2007		MINUTE ORDER (PAPERLESS) denying as moot Plaintiff's <u>23</u> Motion to Publish Memorandum Opinion of September 8, 2006, as said Opinion has already been published. Signed by Judge Colleen Kollar-Kotelly on April 3, 2007. (lcckk1) (Entered: 04/03/2007)
07/25/2007	<u>30</u>	STIPULATION of Dismissal by U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES. (Kirschner, Adam) (Entered: 07/25/2007)